

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 12, 1966

Appeal #8531 Emibeth Corp., appellant

The Zoning Administrator District of Columbia, appellee

On motion duly made, seconded and carried with Mr. William F. McIntosh not voting, the following Order was entered on March 4, 1966.

ORDERED:

EFFECTIVE DATE OF ORDER: April 14, 1966

That the appeal for a variance from the use provisions of the R-5-B District to permit the establishment on Lot 747, Square 2676, of loading facilities to serve the commercial building located on Lot 810 in Square 2676, be conditionally granted.

From the records and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Appellant's lot 810 is located in the C-3-B District. Lot 747 is located in the R-5-B District.

(2) Appellant proposes to have a major retail store on lot 810.

(3) Appellant proposes to raze existing building on lot 747 and establish loading facilities on the lot to serve the department store on lot 810.

(4) Appellant claims that due to the difficult traffic problems in the area, loading and unloading cannot be done at the curb near the subject property.

(5) Appellant indicates that the building now contains an arcade over a private alley with a curb-cut on the south side of Monroe Street, which permits small trucks to pass through the building to the rear.

(6) After reconstruction, appellant says the arcade will be retained and will permit small trucks to drive into the building where an elevator is located. This area is adjacent to lot 747.

(7) The Department of Highways and Traffic says "the traffic conditions at the above location indicates that it is imperative that adequate off-street facilities be provided for loading and unloading merchandise. This provision is necessary because Monroe Street is only 24 feet wide, with parking permitted on one side.*** In the interest of safety and the expeditious movement of traffic on this section of Monroe Street, it is recommended that the establishment of adequate off-street loading facilities be approved."

(8) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

The Board is of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations. By reason of the exceptional conditions applicable to this piece of property, the strict application of the Regulations would result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zoning plan as embodied in the Zoning Regulations and Map.

The Board approves the plans dated February 22, 1966, Drawing 1 with this exception, a six foot wall is to be erected from the rear of the adjacent house to the back of the lot line. A copy of the plan with the wall indicated is attached to the Order of the appellant.